

52

Notice of Allowability	Application No.	Applicant(s)	
	10/804,288	SCHMIDT ET AL.	
	Examiner	Art Unit	
	Stephen W. Smoot	2813	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application papers filed on 18 March 2004.
2. ☒ The allowed claim(s) is/are 16-19 and 41-55.
3. ☒ The drawings filed on 18 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>3-18-04; 5-20-04; 6-24-04; 2-28-05 &</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u> |

Stephen W. Smoot

Stephen W. Smoot
 Patent Examiner
 Art Unit 2813

This Office action is in response to application papers filed on 18 March 2004, which includes a preliminary amendment that has been entered.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below to correct obvious informalities in the specification per MPEP section 1302.04 and to change the title of the invention to one that is specific to the invention as claimed per MPEP section 1302.04(a). Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Title:

Change the title of the invention to --Foil Structures for Use in a Capacitor with an Anode Foil and a Cathode Foil Stacked Together--;

In the Specification:

On page 1, line 7, after "November 19, 2002," insert --now issued as U.S. Patent No. 6,709,946-- to update the cross-reference section;

On page 7, line 16, change "an" to --a--;

Art Unit: 2813

On page 9, line 24, change "203" to --302--;

On page 16, line 2, change "bafnium" to --hafnium--; and

On page 16, line 8, delete the first appearance of "is".

2. Claims 16-19, 41-55 are allowed.
3. The following is an examiner's statement of reasons for allowance:
 - Claims 16-19, 41-44 are allowed because the prior art of record does not teach or suggest, in combination with the other claim limitations, foil structures that feature an anode foil with a connection portion that includes a proximal section and a distal section and a cathode foil with a connection portion that includes a proximal section and a distal section, wherein the distal section of the anode foil at least partially overlays the distal section of the cathode foil when both foils are stacked together; and
 - Claims 45-55 are allowed because the prior art of record does not teach or suggest, in combination with the other claim limitations, foil structures that feature a plurality of anode foils with each anode foil including an anode connection member having a proximal section and a distal section and a plurality of cathode foils with each cathode foil including a cathode connection member having a proximal section and a distal section, wherein the anode foils and the cathode foils are stacked together such that the distal section of the anode connection members overlay the distal section of the cathode connection members.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Piper, Fukaumi et al., and Adams et al. teach capacitor structures that feature stacked anodes and cathodes.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen W. Smoot whose telephone number is 571-272-1698. The examiner can normally be reached on M-F (8:00 am to 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on 571-272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

Art Unit: 2813

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SWS